



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING



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GOVERNOR

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PUBLIC INSTRUCTION

December 5, 2006

MEMORANDUM

TO State Board of Education

FROM: Mike Flanagan

SUBJECT: Legislative Update

With the November election over, we are now in the middle of a lame-duck legislative session. It appears the Michigan Merit Award legislation is probably the highest profile education bill that is on the table for December, but many other issues will also be addressed. Many legislative issues that in September or October were being casually mentioned are now in play. Other issues that we thought might be addressed are fading from serious consideration. The next two weeks will see a lot of movement and, in many cases, significant action on a number of these legislative items.

Below is a list of key issues that are currently being discussed.

SB 1335. This is the Michigan Merit Award legislation sponsored by Senator Deb Cherry (D-Burton). The legislation reflects the Governor's \$4,000 award for those students that achieve an appropriate score on the new Michigan Merit Examination (MME). Additionally, students who do not do well enough on the MME, may still receive the \$4,000 award if they complete two years of college with a minimum grade point average of 2.5. It appears this legislation will move to the Governor's desk if other non-education issues are also addressed in the lame-duck session.

SB 1427. This legislation, introduced by Senator Kuipers (R-Holland), passed the Senate on November 30. It is designed to provide some appropriate flexibility in the new High School Graduation Requirements that became law earlier this year. The concern is that not all Special Education students with cognitive learning disabilities will be able to get a high school diploma with the new High School Graduation Requirement law. The same is true of certain out-of-state transfer students and possibly with transfer students from non-public schools. The fix is to allow for greater empowerment of the "personal curriculum" language that is already in the law so that school administrators, parents and students can assess the student's needs and insure that the a student meets all the requirements that are practicable. The bill is in the House Education Committee and it is expected to have a chance of passing the House and moving to the Governor's desk.

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HB 6173. Rep. Shelly Taub (R-Bloomfield Hills) introduced this legislation, which has passed the House and is now on the Senate Floor. MDE and the State Police have been working with Senate Staff to finalize this clean-up bill of last year's Student Safety Package. The bill has been designed to reduce the number of times employees will have to be finger printed for background checks and will help address issues regarding the administration of the law

SB 1327. Senator Kuipers introduced this bill to address the frustration that school administrators have in placing teaching staff in the classroom. Currently, if a teacher wants to decertify their teaching certification, they contact the Department and make such a request. Typically, this occurs when a teacher has left one area of teaching (math) for a more preferred area to teach (say, social studies). The problem is that under the federal No Child Left Behind and the new High School Graduation Requirements, school administrators want the ability to place highly qualified teachers in areas where they need teachers, not areas where teachers simply want to teach. If a teacher has decertified himself or herself in a particular subject area, the school administration's options in filling slots are limited. Of course, there is another side to this. Will our children really learn if teachers are teaching in subject areas where they simply don't want to teach? Perhaps more significantly, a teaching certificate is a property right of the individual and, as such, a school district really should not control a person's property right. The bill is currently in the Senate and passage in lame-duck will be a challenge. Senator Kuipers is interested in trying to work out a compromise on this legislation, but it is not clear if there is enough time to negotiate this legislation in lame-duck.

SB 1398. Senator Kuipers introduced this legislation when some of his school districts were adversely affected by the recent Northern Foods lawsuit. The bill simply encourages school districts to use cooperatives as a more effective tool to deliver school supplies. The bill has passed the Senate and is currently on the House Floor.

As always if you have any questions regarding these issues or other items that might not have been addressed in the memorandum, please do not hesitate to contact Bob Morris.